

Anthony D. Prince (SBN # 202892)
General Counsel, California Homeless Union/Statewide Organizing Council
Law Offices of Anthony D. Prince
2425 Prince Street, Ste. 100
Berkeley, CA 94705
Tel: 510-301-1472

Attorneys for Plaintiffs

UNITED STATES COURT

EASTERN DISTRICT OF CALIFORNIA

SACRAMENTO HOMELESS UNION, a
local of the CALIFORNIA HOMELESS
UNION/STATEWIDE ORGANIZING
COUNCIL, on behalf of itself and those it
represents; BETTY RIOS; DONTA
WILLIAMS; FALISHA SCOTT and all those
similarly situated,

Plaintiffs

vs.

COUNTY OF SACRAMENTO, a political
subdivision of the State of California; CITY
OF SACRAMENTO, a municipal corporation;
and DOES 1 – 100,

Defendants.

Case No.: 2:22-cv-01095-TLN-KJN

**DECLARATION OF JESSICA GILBERT
IN SUPPORT OF PLAINTIFFS' MOTION
TO EXTEND OR REINSTATE
PRELIMINARY INJUNCTION AGAINST
CITY OF SACRAMENTO AND FOR
SANCTIONS.**

DECLARATION OF JESSICA GILBERT

I, JESSICA GILBERT, hereby declare as follows:

1. I am a homeless person in the City of Sacramento. I am five-months pregnant and live with my partner, Mr. Joseph Jensen.
2. On or about August 7, 2022 I was residing in a tent with my partner under Highway 50 in Sacramento, California where we had shade to protect us from the extreme hot weather we were experiencing at that time. At around 10:40 am in the morning I was awakened by two Sacramento police officers who pulled my tent open and told me to

Declaration of Jessica Gilbert ISO Plaintiffs' Motion for Extension or Reinstatement of Preliminary Injunction

1 leave the area. I believe the female officer was named Streigh and the male officer was
2 named Kirtland or Kirkland. I became very scared. They asked me to come outside of
3 my tent to talk with them, and then I overheard Officer Streigh say, "I just scared the shit
4 out of them." She was laughing when she said this.

Page |
- 2 -

- 5 3. Both Mr. Jensen and I complied and stepped out of our tent. Officer Streigh then said
6 "We really can't tell you to move, but unfortunately, you guys can't stay here." Then she
7 said, "I know it's nice and shady over here, but you need to find a different place to go.
8 You guys can't stay here." I felt very intimidated by these officers. They asked if we
9 wanted help with resources and took our phone numbers. Then we left.
10
11 4. We had nowhere to go and the police did not give us any information about cooling
12 centers or anywhere else we could go. It was about 100 degrees that day. We left and
13 spent the day walking the sidewalks while the sun was very stressful until we finally
14 found an area by 13th Street that was shady. We stayed there one week until
15 approximately August 13, 2022 when two other Sacramento police came.
16
17 5. On or about August 13, 2022, two Sacramento police officers came and told us we had
18 two hours to pack our things and leave or they would take all our possessions. We
19 packed as fast as we could and left. That time we ended up on the street again.
20
21 6. At no time was either myself or my partner offered any help and we never got a call
22 from Homeless Services although we had given our phone numbers before to Officers
23 Streigh and Kirland (or Kirkland).

24 I hereby swear and affirm under penalty of perjury under the laws of the United States
25 and the State of California that the foregoing is a true and correct statement based on personal
26 knowledge, professional experience and otherwise on information and belief.

27 Dated: August 24, 2022

/s/ Jessica Gilbert

28 Executed at Sacramento, CA

Anthony D. Prince (SBN # 202892)
General Counsel, California Homeless Union/Statewide Organizing Council
Law Offices of Anthony D. Prince
2425 Prince Street, Ste. 100
Berkeley, CA 94705
Tel: 510-301-1472

Attorneys for Plaintiffs

UNITED STATES COURT

EASTERN DISTRICT OF CALIFORNIA

SACRAMENTO HOMELESS UNION, a
local of the CALIFORNIA HOMELESS
UNION/STATEWIDE ORGANIZING
COUNCIL, on behalf of itself and those it
represents; BETTY RIOS; DONTA
WILLIAMS; FALISHA SCOTT and all those
similarly situated,

Plaintiffs

vs.

COUNTY OF SACRAMENTO, a political
subdivision of the State of California; CITY
OF SACRAMENTO, a municipal corporation;
and DOES 1 – 100,

Defendants.

Case No.: 2:22-cv-01095-TLN-KJN

**SUPPLEMENTAL DECLARATION OF
FLOJAUNE COFER, PhD, MPH IN
SUPPORT OF PLAINTIFFS' MOTION
TO EXTEND OR REINSTATE
PRELIMINARY INJUNCTION AGAINST
CITY OF SACRAMENTO AND FOR
SANCTIONS.**

SUPPLEMENTAL DECLARATION OF FLOJAUNE COFER, PhD, MPH

I, FLOJAUNE COFER, hereby declare as follows:

1. I am employed by Public Health Advocates for the state of California. I previously filed a Declaration in Support of Plaintiffs' Motion for TRO/Preliminary Injunction in the above-captioned case. In that Declaration I set fully set forth my credentials as a public health expert, specializing in public health issues impacting marginalized, at-risk

1 communities, including the unhoused of Sacramento. This is to incorporate by reference
2 the credentials and expert opinions set forth in my previous declaration.

3 2. Attached hereto as Exhibit A is a true and correct copy of a report entitled "Monthly
4 Weather" which I downloaded from the website of the National Weather Service which
5 depicts temperatures predicted for the Sacramento area for the month of September,
6 2022.

7
8 3. Attached hereto as Exhibit B is a true and correct copy of a report entitled "September
9 2021 Weather History in Sacramento" which depicts temperatures experienced in the
10 Sacramento area last summer.

11 4. Attached hereto as Exhibit C is a true and correct copy of a report from World Weather
12 which depicts temperatures that occurred in Sacramento in September, 2021.

13 5. Attached hereto as Exhibit D is a true and correct copy of a report entitled "Past Weather
14 in Sacramento, California, USA" from the website of "Date/Time Weather" which
15 depicts temperature changes on an hourly basis in Sacramento, California for August 18,
16 2022 through August 23, 2022.

17
18 6. Based upon the above Exhibits and my professional education, training and experience
19 in public health as described in my earlier declaration, which includes comprehensive
20 familiarity with weather extremes and their impact on unsheltered, unhoused
21 communities in Sacramento, where I live and work, I draw the following conclusions:

22 7. First, persons exposed unprotected to extreme heat, i.e., temperatures in the range of 95
23 degrees Fahrenheit to triple-digits, are actually exposed to substantially higher
24 temperatures based upon the absorption, reflection and retention of heat by asphalt,
25 concrete and heat-storing buildings and building materials. These temperatures can range
26 anywhere from 20 to 30 degrees higher than the ambient temperature and can remain at
27 that range far into the night after sunrise.
28

1 8. Second, there is no doubt that Sacramento will experience at least eight and possibly
2 more days of extreme heat during the month of September, 2022 as was the case last
3 September 2021. Removed from shaded, relatively sun and heat-protected areas,
4 unhoused, unsheltered persons are at extreme risk of dehydration, hyperthermia, heat
5 stress, heat stroke and other heat-related conditions that may cause irreversible damage
6 and possibly death.

7
8 9. Third, the effects of exposure of unsheltered, unprotected persons to extreme heat are
9 cumulative. This means, for example, that a person exposed to a temperatures of 95
10 degrees Fahrenheit or greater on any given day, even if followed subsequently by lower
11 temperatures will nevertheless continue to be at risk for heat-related disease and death,
12 as the effects of repeated, even intermittent, exposures to extreme heat are cumulative. It
13 is a commonplace occurrence for a person so exposed to suffer heat stroke and other
14 potentially lethal heat-related events days and even weeks after the extreme temperatures
15 abate.
16

17 I hereby swear and affirm under penalty of perjury under the laws of the United States
18 and the State of California that the foregoing is a true and correct statement based on personal
19 knowledge, professional experience and otherwise on information and belief.

20 Dated: August 24, 2022

/s/ Flojaune Cofer, PhD, MPH

21 Executed at Sacramento, CA
22
23
24
25
26
27
28

Exhibit A



Search City

US °F

GO PREMIUM

Today

Hourly

10 Day

Weekend

Monthly

Radar

Video

Monthly Weather - Sacramento, CA

As of 10:32 am PDT

< Aug Sep ▼ 2022 ▼ View Oct >

SUN	MON	TUE	WED	THU	FRI	SAT
28	29	30	31	1	2	3
86°	92°	94°	95°	94°	96°	98°
57°	58°	60°	61°	62°	63°	65°
4	5	6	7	8	9	10
			Avg	Avg	Avg	Avg
100°	99°	99°	91°	91°	91°	91°
65°	65°	65°	60°	60°	60°	60°
11	12	13	14	15	16	17
Avg	Avg	Avg	Avg	Avg	Avg	Avg
91°	90°	90°	90°	90°	90°	89°
60°	59°	59°	59°	59°	59°	59°
18	19	20	21	22	23	24
Avg	Avg	Avg	Avg	Avg	Avg	Avg

Advertisement

Avg	Avg	Avg	Avg	Avg	Avg	Avg
89°	89°	89°	88°	88°	88°	87°
59°	59°	58°	58°	58°	58°	58°
25	26	27	28	29	30	1
Avg	Avg	Avg	Avg	Avg	Avg	Avg
87°	87°	86°	86°	86°	85°	85°
58°	57°	57°	57°	57°	57°	56°

Advertisement

Sponsored Content

El Cerrito: Forget Expensive Roofing (Do This Instead)

★★★★★

RoofingServices

[Learn More](#)

Psoriatic Arthritis Indicators - Many May Wish They Had Seen Them Earlier

★★★★★

Branded Links

[Learn More](#)

Look For Any High School Yearbook, It's Free

Classmates

Homeowners Are Trading in Their Doorbell Cams for This.

Keillini

Almanac

Aug 23	High	Low	Precip
Averages	93°F	61°	--
Records	109° (1913)	50° (1908)	--

Reported Conditions

Yesterday	98°	64°	0.00 in
Last 7 Days	106°	58°	0.00
Month to Date	106°	58°	0.00

Historical Monthly Avg

August	94°	61°	0.02
September	89°	59°	0.15
October	79°	53°	0.93

Advertisement

Stay Safe

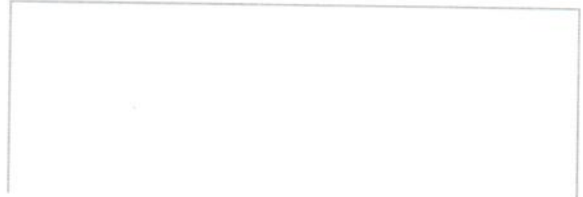


Exhibit B

September 2021 Weather History in Sacramento California, United States

The data for this report comes from the Sacramento International Airport. See all nearby weather stations (</h/r/1157/Historical-Weather-in-Sacramento-California-United-States>)

ADVERTISEMENT

ADVERTISEMENT

ADVERTISEMENT

This report shows the past weather for Sacramento, providing a weather history for September 2021. It features all historical weather data series we have available, including the Sacramento temperature history for September 2021. You can drill down from year to month and even day level reports by clicking on the graphs.

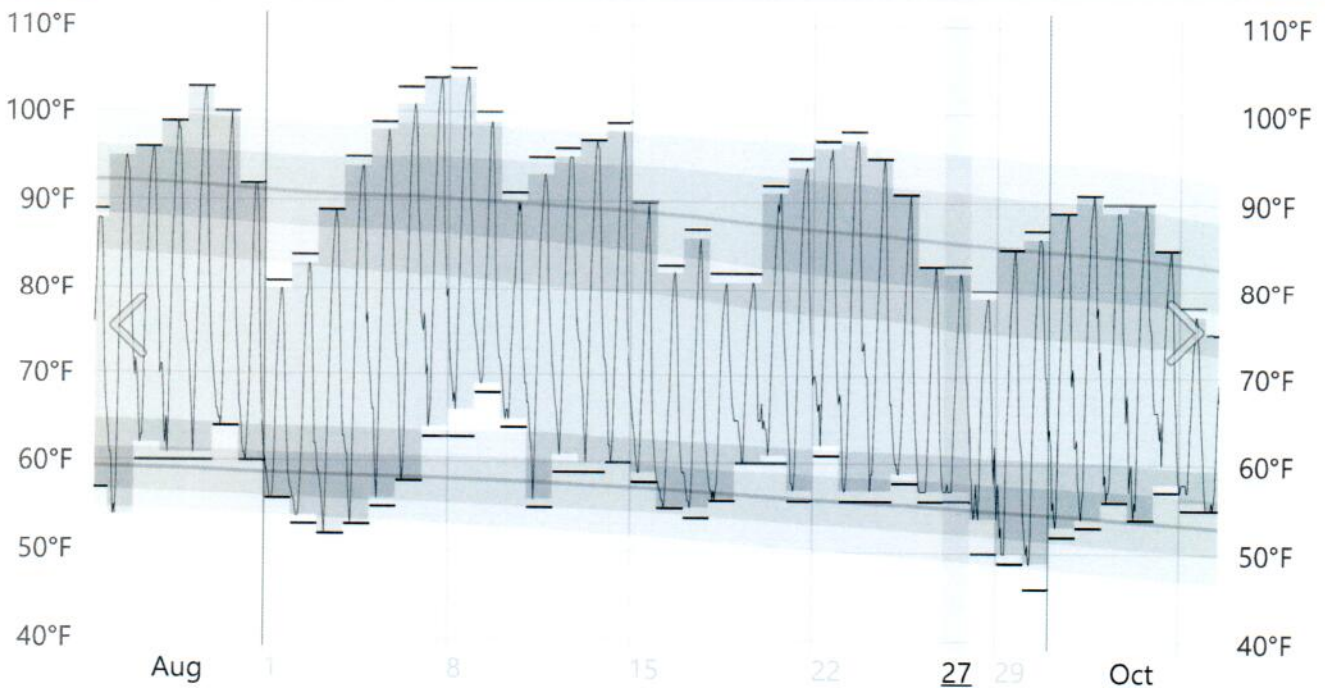
Sacramento Temperature History September 2021

◀ Fall 2021 (</h/s/1157/2021/2/Historical-Weather-Fall-2021-in-Sacramento-California-United-States#Figures-Temperature>) 🔗 ⬇️

Compare (</compare/m/9/1157/Comparison-of-the-Average-Weather-in-Sacramento-in-September>)

Averages (</m/1157/9/Average-Weather-in-September-in-Sacramento-California-United-States#Figures-Temperature>)

History: J (</h/m/1157/2021/1/Historical-Weather-in-January-2021-in-Sacramento-California-United-States#Figures-Temperature>) F (</h/m/1157/2021/2/Historical-Weather-in-February-2021-in-Sacramento-California-United-States#Figures-Temperature>)





The daily range of reported temperatures (gray bars) and 24-hour highs (red ticks) and lows (blue ticks), placed over the daily average high (faint red line) and low (faint blue line) temperature, with 25th to 75th and 10th to 90th percentile bands.

ADVERTISEMENT

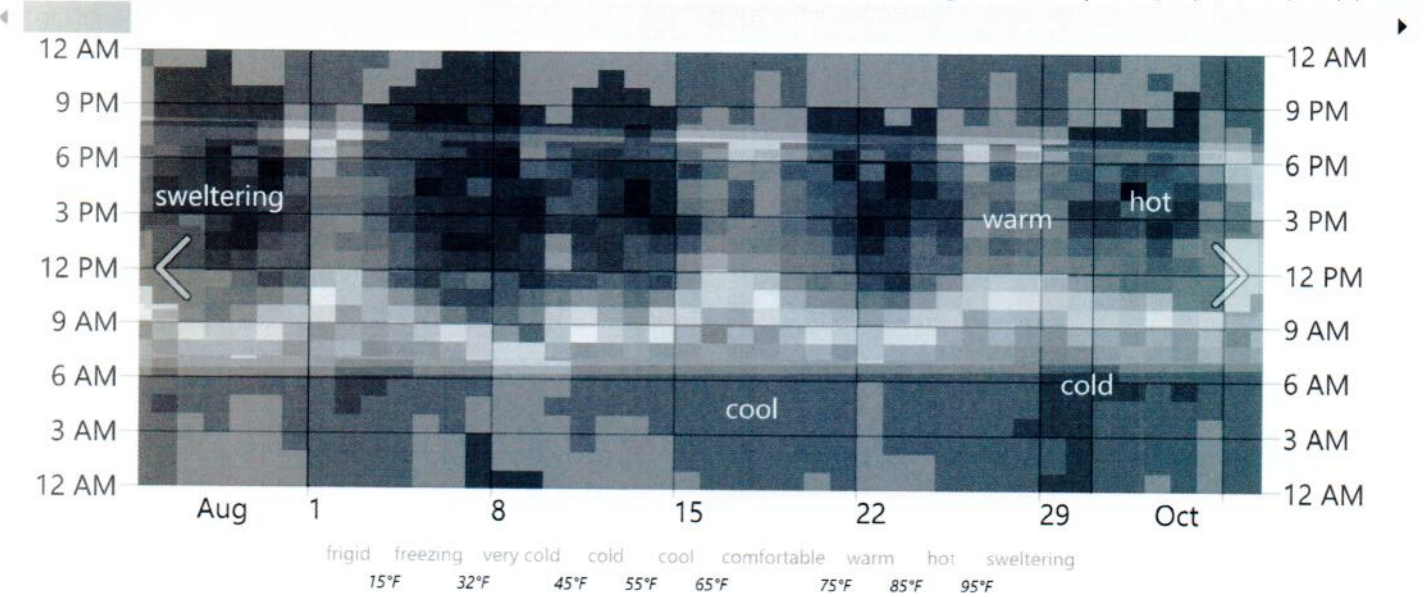
ADVERTISEMENT



Hourly Temperature in September 2021 in Sacramento

← Fall 2021 (/h/s/1157/2021/2/Historical-Weather-Fall-2021-in-Sacramento-California-United-States#Figures-ColorTemperature)  
Compare (/compare/m/9/1157/Comparison-of-the-Average-Weather-in-Sacramento-in-September)
Averages (/m/1157/9/Average-Weather-in-September-in-Sacramento-California-United-States#Figures-ColorTemperature)

History: J (/h/m/1157/2021/1/Historical-Weather-in-January-2021-in-Sacramento-California-United-States#Figures-ColorTemperature) F (/h/m/1157/2021/2/Histori



The hourly reported temperature, color coded into bands. The shaded overlays indicate night and civil twilight.

ADVERTISEMENT

ADVERTISEMENT



Exhibit C



Weather in Sacramento in September 2021































Mon	Tue	Wed	Thu	Fri	Sat	Sun
		1	2	3	4	5
		 +75° night +57°	 +81° night +54°	 +88° night +55°	 +93° night +57°	 +95° night +61°
6	7	8	9	10	11	12
 +99° night +61°	 +100° night +66°	 +104° night +68°	 +91° night +68°	 +86° night +68°	 +90° night +59°	 +93° night +61°
13	14	15	16	17	18	19
 +95° night +63°	 +95° night +63°	 +84° night +61°	 +81° night +57°	 +81° night +55°	 +73° night +57°	 +81° night +63°
20	21	22	23	24	25	26
 +91° night +64°	 +95° night +59°	 +93° night +63°	 +97° night +59°	 +93° night +63°	 +86° night +59°	 +77° night +57°
27	28	29	30			
 +75° night +55°	 +79° night +55°	 +84° night +55°	 +86° night +52°			

Exhibit D



Past Weather in Sacramento, California, USA — Yesterday and Last 2 Weeks

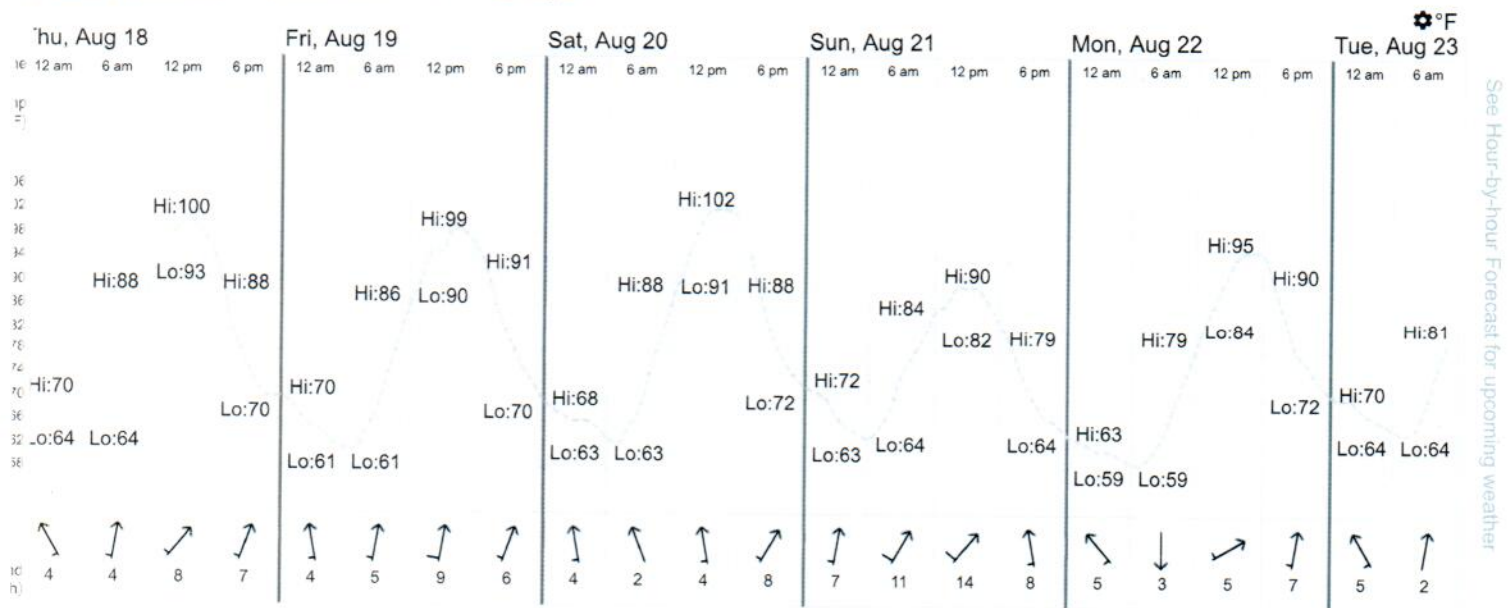
Time/General Weather Time Zone DST Changes Sun & Moon

Weather Today Weather Hourly 14 Day Forecast Yesterday/Past Weather Climate (Averages)

Currently: 84 °F. Sunny. (Weather station: Sacramento Executive Airport, USA). See more current weather

Select month: Past 2 Weeks

Past Weather in Sacramento — Graph



Monday, August 8, 2022, 6:00 am — 12:00 pm

81 / 75 °F
Sunny.

Humidity: 44%
Barometer: 29.97 "Hg

SSW
Wind: 7.457 mph

Mon, Aug 8 Tue, Aug 9 Wed, Aug 10 Thu, Aug 11 Fri, Aug 12 Sat, Aug 13 Sun, Aug 14 Mon, Aug 15 Tue, Aug 16 Wed, Aug 17 Thu, Aug 18 Fri, Aug 19 Sat, Aug 20 Sun, Aug 21 Mon, Aug 22 Tue, Aug 23

Anthony D. Prince (SBN # 202892)
General Counsel, California Homeless Union/Statewide Organizing Council
Law Offices of Anthony D. Prince
2425 Prince Street, Ste. 100
Berkeley, CA 94705
Tel: 510-301-1472

Attorneys for Plaintiffs

UNITED STATES COURT

EASTERN DISTRICT OF CALIFORNIA

SACRAMENTO HOMELESS UNION, a
local of the CALIFORNIA HOMELESS
UNION/STATEWIDE ORGANIZING
COUNCIL, on behalf of itself and those it
represents; BETTY RIOS; DONTA
WILLIAMS; FALISHA SCOTT and all those
similarly situated,

Plaintiffs

vs.

COUNTY OF SACRAMENTO, a political
subdivision of the State of California; CITY
OF SACRAMENTO, a municipal corporation;
and DOES 1 – 100,

Defendants.

Case No.: 2:22-cv-01095-TLN-KJN

**DECLARATION OF ANTHONY D.
PRINCE IN SUPPORT OF PLAINTIFFS'
MOTION TO EXTEND OR REINSTATE
PRELIMINARY INJUNCTION AGAINST
CITY OF SACRAMENTO AND FOR
SANCTIONS.**

DECLARATION OF ANTHONY D. PRINCE

I, ANTHONY D. PRINCE, hereby declare as follows:

1. I serve as General Counsel for the California Homeless Union/Statewide Organizing Council and attorney of record for plaintiffs in the above-captioned matter.
2. Attached hereto as Exhibit A is a true and correct copy of an email sent to the Sacramento City Attorney notifying them that unless the City was agreeable to a

1 stipulation to extend the Preliminary Injunction of July 28, 2022, plaintiffs would file a
2 motion to extend or re-instate the injunction.

3 3. Attached hereto as Exhibit B is a true and correct copy of an email message from City
4 Attorney Chance Trimm informing plaintiffs' counsel that the City would not agree to
5 stipulate to extend the injunction, along with the assertion that the City did not believe
6 that there would be any excessive heat days in Sacramento in the month of September,
7 2022.

8
9 4. Attached hereto as Exhibit C is a true and correct copy of a series of emails between
10 Plaintiffs' counsel and the City Attorney regarding violations of the Preliminary
11 Injunction.

12 5. Attached hereto as Exhibit D is a true and correct copy of a letter dated August 3, 2022
13 responding to Plaintiff's counsel's email of August 2, 2022 regarding the planned
14 clearing of the homeless encampment in the Morrison Creek area and notifying
15 Plaintiffs' counsel that the posted and planned action had been canceled.
16

17 I hereby swear and affirm under penalty of perjury under the laws of the United States
18 and the State of California that the foregoing is a true and correct statement based on personal
19 knowledge, professional experience and otherwise on information and belief.

20 Dated: August 24, 2022

/s/ Anthony D. Prince

21 Executed at Berkeley, CA
22
23
24
25
26
27
28

Exhibit A

From: Anthony Prince <princelawoffices@yahoo.com>
Sent: Monday, August 22, 2022 3:42 PM
To: Susana Alcala Wood <SAWood@cityofsacramento.org>; Chance Trimm
<CTrimm@cityofsacramento.org>
Subject: Motion to extend preliminary injunction

Counsel: This is to inform you that the Sacramento Homeless Union will be filing a motion to extend the existing preliminary injunction regarding City sweeps of homeless encampments and persons. However, it is my hope that we can agree that the injunction should be extended for another 30 days with no change to its terms. Obviously, we have had many days of extreme heat since the injunction issued and will experience more in September. We are also aware that since we last communicated, we have learned of additional actions and threats by City officials, particularly Sacramento police resulting in sweeps and/or orders to "leave" areas where the homeless are presently encamped. Rather than bring motions for an order to show cause, as reports of such incidents and declarations from those swept and/or threatened have come in, we decided to report these violations of the existing PI in our motion to extend. We are willing to set aside these reports and declarations if the City agrees to stipulate to extend the existing injunction.

Please notify me by 10:00 am tomorrow morning, August 23, 2022 if this is agreeable.

Very truly yours,

Anthony Prince

Attorney for Sacramento Homeless Union

Exhibit B

Chance Trimm <ctrimm@cityofsacramento.org>

To: Anthony Prince, Susana Alcala Wood

Cc: Susana Alcala Wood, Matthew Ruyak, Andrea Velasquez, Gustavo Martinez

Tue, Aug 23 at 8:25 AM

Mr. Prince,

The City will not agree to an extension of the Court's prior temporary restraining order. The City will oppose any further effort to restrict the City's ability to enforce the provisions of the City's camping ordinance and other provisions of the City Code. Based on historical weather patterns in the City, the City does not agree with plaintiffs' contention there will be additional "extreme heat" days in September which would warrant extending the Court's prior temporary restraining order during the month of September. As you will recall, alleged extreme heat days were the sole basis of plaintiffs' prior request for a temporary restraining order concerning enforcement of the City's camping ordinance and other provisions of the City Code. The City also disputes your contention there has been any violation of the court's prior temporary restraining order by the City or City personnel.

Assuming plaintiffs file motions with the Court to extend the prior temporary restraining order, or to show cause regarding the City's alleged violation of the Court's prior order, the City will request the court set briefing schedules and hearings relating to both motions. Please contact me with any questions regarding this matter.

Chance Trimm

Senior Deputy City Attorney

This email contains material that is confidential and/or privileged under the work product doctrine, and attorney-client or official information privileges, for the sole use of the intended recipient. Any reliance on or review of this email by anyone other than the intended recipient, or any distribution or forwarding of this email, without express written permission of the City Attorney is strictly prohibited. If you are not the intended recipient, please contact the sender by reply email, and destroy all copies of the original message.

Hide original message

Exhibit C

Thank you,

Anthony Prince,

Notices need to be taken down.3

Yahoo/Inbox

•

Anthony Prince <princelawoffices@yahoo.com>

To: Susana Alcala Wood, Chance Trimm

Cc: Crystal Sanchez, Theresa Clift

Tue, Aug 2 at 10:19 AM

The attached notice was posted before the Court order was issued. However, the notice, which advises that the area will be cleared on August 8, 2022, remains up and needs to be removed. This is also true for any other such notices that were posted prior to the issuance of the injunction but are still up. The notices are causing consternation and confusion and, insofar as their posting is the first step of a sweep, may be in violation of the preliminary injunction. The City knows which areas have been posted and therefore has the obligation to take them down immediately or give us permission to do so.

Thank you,

Anthony Prince,

Attorney for Plaintiffs

RE: Notices need to be taken down.

Yahoo/Inbox

•

Chance Trimm <ctrimm@cityofsacramento.org>

To: Anthony Prince

Cc: Susana Alcala Wood, Matthew Ruyak, Andrea Velasquez, Beau Parkhurst

Tue, Aug 2 at 12:30 PM

Mr. Prince,

Pursuant to the provisions of 33 CFR Section 208.10, the City has a statutory obligation to prohibit any encroachment or trespass that will adversely impact the operation of the Morrison Creek flood control area. The City's Department of Utilities is responsible for enforcing the provisions of this section. Morrison Creek is one of several critical infrastructure locations within the City in which the City has a statutory obligation to remove trespassers and any personal property. Please contact me if you have any questions regarding this matter.

Chance Trimm

From: Anthony Prince <princelawoffices@yahoo.com>

Sent: Tuesday, August 2, 2022 10:19 AM

To: Susana Alcala Wood <SAWood@cityofsacramento.org>; Chance Trimm <CTrimm@cityofsacramento.org>

Cc: Crystal Sanchez <sacramento.homeless.union@gmail.com>; Theresa Clift <tclift@sacbee.com>

Subject: Notices need to be taken down.

The attached notice was posted before the Court order was issued. However, the notice, which advises that the area will be cleared on August 8, 2022, remains up and needs to be removed. This is also true for any other such notices that were posted prior to the issuance of the injunction but are still up. The notices are causing consternation and confusion and, insofar as their posting is the first step of a sweep, may be in violation of the preliminary injunction. The City knows which areas have been posted and therefore has the obligation to take them down immediately or give us permission to do so.

Chance Trimm

Mr. Prince, Pursuant to the provisions of 33 CFR Section 208.10, the City has a statutory obligation to prohibit any encroachment or trespass that will adversely impact the operation of the Morrison Creek flood control area. The City's Department of Utilities is responsible for enforcing the provisions of this section. Morrison Creek is one of several critical infrastructure locations within the City in which the City has a statutory obligation to remove trespassers and any personal property. Please contact me if you have any questions regarding this matter. Chance Trimm From: Anthony Prince <princelawoffices@yahoo.com> Sent: Tuesday, August 2, 2022 10:19 AM To: Susana Alcala Wood <SAWood@cityofsacramento.org>; Chance Trimm <CTrimm@cityofsacramento.org> Cc: Crystal Sanchez <sacramento.homeless.union@gmail.com>; Theresa Clift <tclift@sacbee.com> Subject: Notices need to be taken down. The attached notice was posted before the Court order was issued. However, the notice, which advises that the area will be cleared on August 8, 2022, remains up and needs to be removed. This is also true for any other such notices that were posted prior to the issuance of the injunction but are still up. The notices are causing consternation and confusion and, insofar as their posting is the first step of a sweep, may be in violation of the preliminary injunction. The City knows which areas have been posted and therefore has the obligation to take them down immediately or give us permission to do so. Thank you, Anthony Prince, Attorney for Plaintiffs

Tue, Aug 2 at 12:30 PM

Anthony Prince <princelawoffices@yahoo.com>

To: Chance Trimm

Cc: Susana Alcala Wood, Matthew Ruyak, Andrea Velasquez, Beau Parkhurst, Crystal Sanchez and 1 more...

Tue, Aug 2 at 12:33 PM

There is nothing in the preliminary injunction that permits this exception. If you want to go forward with the sweep, the City needs to file a motion to modify the injunction. If the City intends to circumvent the injunction in this manner, we will have to consider filing the appropriate motions with the Court.

Anthony

Anthony Prince <princelawoffices@yahoo.com>

To: Chance Trimm, Susana Alcala Wood

Cc: Crystal Sanchez, Theresa Clift

Wed, Aug 3 at 12:32 PM



I am in receipt of your letter regarding Morrison Creek and appreciate the City's decision to adhere to the Court order and refrain from conducting the planned sweep. However, it has now come to our attention that Notices to Vacate are being posted by City Park Rangers, an example of which is attached hereto. This notice and planned sweep and all others that have been scheduled must also be rescinded and cancelled immediately with written confirmation provided to the Union. We will refrain from filing with the Court if we receive confirmation by close of business today, August 3, 2022.

Very truly yours,

Anthony D. Prince

Show original message

•

 **NOTICE TO VACATE** 
CITY OF SACRAMENTO
PARK RANGER DIVISION
8/1/22 HOUR NOTICE

IT IS UNLAWFUL TO CAMP WITHOUT A PERMIT, STORE PERSONAL PROPERTY OR ERECT A STRUCTURE WITHIN A CITY PARK OR PARKLAND. THIS PROPERTY IS IN VIOLATION OF THE FOLLOWING:

☒ 12.72.060 (W) S.C.C. CAMPING WITHOUT A PERMIT
☒ 12.52.040 S.C.C. UNLAWFUL STORAGE OF PROPERTY
☒ 12.72.060 (F) S.C.C. ERECT STRUCTURE IN A PARK WITHOUT A PERMIT
☒ ABANDONED PROPERTY
☐ OTHER: _____

INSTRUCTIONS: TO AVOID ANY LOSS OF PROPERTY ALL PERSONAL PROPERTY MUST BE REMOVED. IF THE PROPERTY HAS NOT BEEN VOLUNTARILY REMOVED WITHIN THE INDICATED TIME PERIOD, THE PROPERTY WILL BE REMOVED AND MAY BE BOOKED FOR SAFEKEEPING AT THE SACRAMENTO POLICE DEPARTMENT EVIDENCE AND PROPERTY SECTION LOCATED AT 555 SEQUOIA PACIFIC BOULEVARD. THE SACRAMENTO POLICE DEPARTMENT EVIDENCE AND PROPERTY SECTION IS OPEN MON-THURS 8:00am-4:30pm, EXCLUDING CITY HOLIDAYS. PLEASE BE ADVISED THAT PERISHABLE OR HAZARDOUS ITEMS OR PROPERTY THAT IS DEEMED TRASH **MAY** BE DISPOSED OF. FOR QUESTIONS, PLEASE CONTACT THE SACRAMENTO POLICE DEPARTMENT AT 916-808-5471 OR EMAIL PARK RANGERS AT PARKSAFETY@CITYOFSACRAMENTO.ORG.

DATE AND TIME POSTED: 7/18/22 850am
LOCATION: Northern Lake trail
OFFICER NAME/BADGE #: Grim 9503

Exhibit D



Office of the City Attorney
Susana Alcala Wood, City Attorney

Sandra G. Talbott
Chief Assistant City Attorney

Deputy City Attorneys

Audreyell A. Anderson-White
Michael J. Benner
Brimany N. Brace
Kourtney C. Burdick
Emilio Camacho
Matthew R. Day
Michael A. Fry
Fhanysha C. Gaddis
Paul A. Gale
Jennifer V. Gore
Malia L. Hansen
Jeffrey C. Heeren
Aaron M. Israel
Kevin W. Kunding
Gary P. Lindsey, Jr.

Assistant City Attorneys

Matthew D. Ruyak
Brett M. Witter

Supervising Deputy City Attorneys

Gerald C. Hicks
Steven Y. Itagaki
Gustavo L. Martinez
Andrea Velasquez

Deputy City Attorneys

Andee D. Martin
Jeffrey L. Massey
Megan E. Nevin
Beau E. Parkhurst
Sean D. Richmond
Kathleen T. Rogan
Angel A. Solis
Michael Sparks
Chance L. Trimm
Katherine Underwood
Michael Voss
Leslie Z. Walker
Kurt C. Wendtner

August 3, 2022

SENT VIA EMAIL ONLY princelawoffices@yahoo.com

Anthony D. Prince, Esq.
Law Offices of Anthony D. Prince
2425 Prince Street, Suite 100
Berkeley, CA 94705

Re: **Sacramento Homeless Union v. County of Sacramento, et al.**
Eastern District of California Case No. 2:22-cv-01095-TLN-KJN
Matter ID: 22-0689
Document No.: 1179089

Dear Mr. Prince:

In response to your message dated August 2, 2022, please be advised that pursuant to Judge Nunley's prior order, City personnel will not seek to enforce the City's ordinances or the Code of Federal Regulations and remove homeless individuals or their personal property from Morrison Creek during the remaining time Judge Nunley's prior order is in effect. If you have any questions regarding this letter, please do not hesitate to contact me.

Sincerely,

SUSANA ALCALA WOOD
City Attorney

CHANCE L. TRIMM
Senior Deputy City Attorney

CLT/clt